

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA

v.

CURTIS WILKERSON

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CRIMINAL NUMBER 99-035-01

**DEFENDANT'S SUPPLEMENTAL MOTION TO REDUCE SENTENCE
PURSUANT TO 18 U.S.C. § 3582(c)(1)(A)(i)**

Defendant Curtis Wilkerson, by and through his attorney, Kathleen Gaughan, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, files the instant supplemental motion pursuant to 18 U.S.C. § 3582 (c)(1)(A)(i), to respectfully request a reduction of his sentence to time-served. In support thereof, it is averred as follows:

1. Defendant Curtis Wilkerson incorporates herein his original motion to reduce sentence and the accompanying memorandum of law in its entirety.
2. In the Government's Response in Opposition to Defendant's Motion to Reduce Sentence Pursuant to 18 U.S.C. § 3582 (c)(1)(A)(i), it asserts that the defense is raising the stacking issue in an attempt to seek retroactive application of Section 403 of the First Step Act of 2018. The government is mistaken. The defense made clear in its motion that the issue of the length of the defendant's sentence was not the basis for an extraordinary or compelling basis for relief, but rather; a factor the Court can and should consider in evaluating the 18 U.S.C. § 3553(a) factors.
3. On June 25, 2020, the Center for Disease Control expanded its list of underlying medical conditions that places an individual in a vulnerable population were they to contract COVID-19. That lists includes chronic kidney disease, the very illness suffered by Mr.

Wilkerson. The defense submits that there is overwhelming evidence that his medical condition places him in grave danger should he contract COVID-19 which constitutes an extraordinary and compelling reason for compassionate release. The Court's analysis of the 3553 (a) factors in Mr. Wilkerson's case would also support a sentence reduction.

WHEREFORE, Defendant Curtis Wilkerson respectfully requests that the Court grant his motion to reduce his sentence to time served and amend the conditions of supervised release as previously requested.

Respectfully submitted,

/s/ Kathleen M. Gaughan
KATHLEEN M. GAUGHAN
Assistant Federal Defender

CERTIFICATE OF SERVICE

I, Kathleen M. Gaughan, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, hereby certify that I have caused a copy of Defendant's Supplemental Motion to Reduce Sentence to be filed and served electronically through the Eastern District Clerk's Office Electronic Case Filing ("ECF") upon:

Robert A. Zauzmer
Roberta Benjamin
Assistant United States Attorneys
United States Attorney's Office
615 Chestnut Street, Suite 1250
Philadelphia, Pennsylvania 19106.

Kathleen M. Gaughan
KATHLEEN M. GAUGHAN
Assistant Federal Defender

DATE: June 29, 2020